

48:4-7.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2009 **CHAPTER:** 259

NJSA: 48:4-7.1 (Requires 45 days' notice to affected municipalities of discontinuance of certain bus and train service)

BILL NO: S1362 (Substituted for A333)

SPONSOR(S) Sacco and Others

DATE INTRODUCED: February 26, 2008

COMMITTEE: **ASSEMBLY:** ---

SENATE: Transportation

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** January 11, 2010

SENATE: January 11, 2010

DATE OF APPROVAL: January 17, 2010

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second reprint enacted)

S1362

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: No
	SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes
LEGISLATIVE FISCAL NOTE:	No

A333

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill)	Yes
COMMITTEE STATEMENT:	ASSEMBLY: Yes
	SENATE: No
FLOOR AMENDMENT STATEMENT:	Yes
LEGISLATIVE FISCAL ESTIMATE:	No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

[Second Reprint]

SENATE, No. 1362

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED FEBRUARY 26, 2008

Sponsored by:

Senator NICHOLAS J. SACCO

District 32 (Bergen and Hudson)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

Assemblywoman JOAN M. QUIGLEY

District 32 (Bergen and Hudson)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Co-Sponsored by:

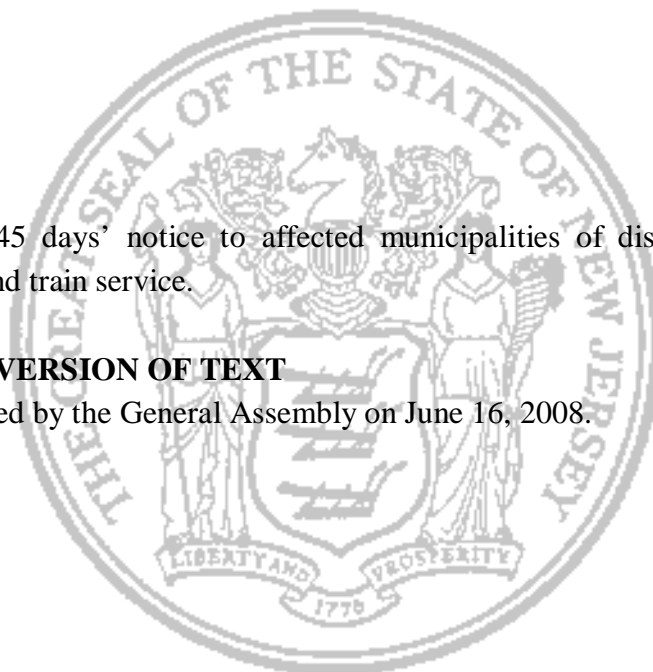
**Senator Beck, Assemblymen Vas, L.Smith, Assemblywoman Wagner,
Assemblymen Ramos and Chiappone**

SYNOPSIS

Requires 45 days' notice to affected municipalities of discontinuance of certain bus and train service.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 16, 2008.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT requiring advance notice to municipalities affected by the
2 discontinuance ¹, curtailment, or abandonment¹ of certain bus
3 and rail passenger service, amending P.L.1979, c.150, and
4 supplementing Title 48 of the Revised Statutes.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. Section 8 of P.L.1979, c.150 (C.27:25-8) is amended to read
10 as follows:

11 8. a. The corporation or any subsidiary thereof shall not be
12 considered a public utility as defined in R.S.48:2-13 and except
13 with regard to subsection c. of this section, subsection b. of
14 R.S.48:3-38, section 2 of P.L.1989, c.291 (C.27:25-15.1) and
15 R.S.48:12-152 the provisions of Title 48 of the Revised Statutes
16 shall not apply to the corporation or any subsidiary thereof.

17 b. The authority hereby given the corporation pursuant to
18 section 6 of this act with respect to fares and service, shall be
19 exercised without regard or reference to the jurisdiction ¹**[[formally]**
20 **formerly**¹ vested in the Department of Transportation **[[by]**
21 **regarding rates and rate schedules under** R.S.48:2-21 **[[, 48:2-24 and**
22 **48:4-3]; discontinuance, curtailment, or abandonment of service**
23 **under R.S.48:2-24; and the issuance of a certificate of public**
24 **convenience and necessity under R.S.48:4-3, and transferred to the**
25 **New Jersey Motor Vehicle Commission by P.L.2003, c.13**
26 **(C.39:2A-1 et al) . The **[[Department of Transportation]** ¹**[[New****
27 **Jersey Motor Vehicle Commission]** ²**[[Department of**
28 **Transportation**¹ **New Jersey Motor Vehicle Commission**² shall
29 resume jurisdiction over service and fares upon the termination and
30 discontinuance of a contractual relationship between the corporation
31 and a private or public entity relating to the provision of public
32 transportation services operated under the authority of certificates
33 of public convenience and necessity previously issued by the
34 **[[department]** ¹**[[New Jersey Motor Vehicle Commission]**
35 ²**[[department]** **New Jersey Motor Vehicle Commission**² or its
36 predecessors; provided, however, that no private entity shall be
37 required to restore any service discontinued or any fare changed
38 during the existence of a contractual relationship with the
39 corporation, unless the **[[Department of Transportation]** ¹**[[New**
40 **Jersey Motor Vehicle Commission]** ²**[[department]** **New Jersey**
41 **Motor Vehicle Commission**² shall determine, after notice and
42 hearing, that the service or fare is required by public convenience
43 and necessity.

EXPLANATION – Matter enclosed in bold-faced brackets **[[thus]]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted March 10, 2008.

²Assembly floor amendments adopted June 16, 2008.

1 c. Notwithstanding any other provisions of this act, all vehicles
2 used by any public or private entity pursuant to contract authorized
3 by this act, and all vehicles operated by the corporation directly,
4 shall be subject to the jurisdiction of the [Department of
5 Transportation] ¹[New Jersey Motor Vehicle Commission]
6 department¹ with respect to maintenance, specifications and safety
7 to the same extent such jurisdiction is conferred upon the
8 [department] ¹[New Jersey Motor Vehicle Commission]
9 department¹ by Title 48 of the Revised Statutes.

10 d. Before implementing any fare increase for any motorbus
11 regular route or rail passenger services, or the substantial
12 curtailment or abandonment of any such services, the corporation
13 shall hold a public hearing in the area affected during evening
14 hours. Notice of such hearing shall be given by the corporation at
15 least 15 days prior to such hearing to the governing body of each
16 county whose residents will be affected and to the clerk of each
17 municipality in the county or counties whose residents will be
18 affected; such notice shall also be posted at least 15 days prior to
19 such hearing in prominent places on the railroad cars and buses
20 serving the routes to be affected.

21 e. Notice of its intent to discontinue, substantially curtail or
22 abandon any motorbus regular route service or rail passenger
23 service shall be given by the corporation to the governing body of
24 each county whose residents will be affected and to the clerk of
25 each municipality in the county or counties whose residents will be
26 affected at least 45 days prior to implementation of such change in
27 service.

28 (cf: P.L.1997, c.309, s.2)

29

30 2. (New section) Any holder of a certificate of public
31 convenience and necessity for the operation of an autobus who files
32 a petition with the Motor Vehicle Commission for permission to
33 discontinue, substantially curtail, or abandon service shall give ¹at
34 least¹ 45 days' notice of its intent to file the petition to the board of
35 chosen freeholders of each county whose residents will be affected
36 and to the clerk of each municipality in which there is located a bus
37 stop on the route or routes that would be affected by the
38 discontinuation, substantial curtailment, or abandonment of service.
39 In the event that a petition is not filed by the certificate holder, the
40 certificate holder shall give ¹at least¹ 45 days' notice prior to the
41 discontinuation, substantial curtailment, or abandonment of service
42 to the board of chosen freeholders of each county whose residents
43 will be affected and to the clerk of each municipality in which there
44 is located a bus stop on the route or routes that would be affected by
45 the discontinuation, substantial curtailment, or abandonment of
46 service.

1 A holder of a certificate of public convenience and necessity for
2 the operation of an autobus, who files a petition with the Motor
3 Vehicle Commission for permission to discontinue, substantially
4 curtail, or abandon service, shall cause to be posted in a prominent
5 place on each bus serving the affected routes, a notice of its intent
6 to discontinue, substantially curtail, or abandon service, at least 45
7 days prior to the change in service.

8 A holder of a certificate who fails to give notice in accordance
9 with this section shall be subject to a civil penalty of \$100 per day.
10 Every day that a violation exists shall be a separate violation for
11 which a penalty may be recovered. A penalty imposed under this
12 section shall be in addition to any other penalty or fine imposed
13 pursuant to law and shall be collected and enforced by summary
14 proceedings pursuant to the "Penalty Enforcement Law of 1999,"
15 P.L.1999, c.274 (C.2A:58-10 et seq.).

16

17 3. This act shall take effect immediately.

SENATE, No. 1362

STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED FEBRUARY 26, 2008

Sponsored by:

Senator NICHOLAS J. SACCO

District 32 (Bergen and Hudson)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

SYNOPSIS

Requires 45 days' notice to affected municipalities of discontinuance of certain bus and train service.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT requiring advance notice to municipalities affected by the
2 discontinuance of certain bus and rail passenger service,
3 amending P.L.1979, c.150, and supplementing Title 48 of the
4 Revised Statutes.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. Section 8 of P.L.1979, c.150 (C.27:25-8) is amended to read
10 as follows:

11 8. a. The corporation or any subsidiary thereof shall not be
12 considered a public utility as defined in R.S.48:2-13 and except
13 with regard to subsection c. of this section, subsection b. of
14 R.S.48:3-38, section 2 of P.L.1989, c.291 (C.27:25-15.1) and
15 R.S.48:12-152 the provisions of Title 48 of the Revised Statutes
16 shall not apply to the corporation or any subsidiary thereof.

17 b. The authority hereby given the corporation pursuant to
18 section 6 of this act with respect to fares and service, shall be
19 exercised without regard or reference to the jurisdiction formally
20 vested in the Department of Transportation [by] regarding rates
21 and rate schedules under R.S.48:2-21 [, 48:2-24 and 48:4-3];
22 discontinuance, curtailment, or abandonment of service under
23 R.S.48:2-24; and the issuance of a certificate of public convenience
24 and necessity under R.S.48:4-3, and transferred to the New Jersey
25 Motor Vehicle Commission by P.L.2003, c.13 (C.39:2A-1 et al) .
26 The **[Department of Transportation]** New Jersey Motor Vehicle
27 Commission shall resume jurisdiction over service and fares upon
28 the termination and discontinuance of a contractual relationship
29 between the corporation and a private or public entity relating to the
30 provision of public transportation services operated under the
31 authority of certificates of public convenience and necessity
32 previously issued by the **[department]** New Jersey Motor Vehicle
33 Commission or its predecessors; provided, however, that no private
34 entity shall be required to restore any service discontinued or any
35 fare changed during the existence of a contractual relationship with
36 the corporation, unless the **[Department of Transportation]** New
37 Jersey Motor Vehicle Commission shall determine, after notice and
38 hearing, that the service or fare is required by public convenience
39 and necessity.

40 c. Notwithstanding any other provisions of this act, all vehicles
41 used by any public or private entity pursuant to contract authorized
42 by this act, and all vehicles operated by the corporation directly,
43 shall be subject to the jurisdiction of the **[Department of**
44 **Transportation]** New Jersey Motor Vehicle Commission with

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 respect to maintenance, specifications and safety to the same extent
2 such jurisdiction is conferred upon the [department] New Jersey
3 Motor Vehicle Commission by Title 48 of the Revised Statutes.

4 d. Before implementing any fare increase for any motorbus
5 regular route or rail passenger services, or the substantial
6 curtailment or abandonment of any such services, the corporation
7 shall hold a public hearing in the area affected during evening
8 hours. Notice of such hearing shall be given by the corporation at
9 least 15 days prior to such hearing to the governing body of each
10 county whose residents will be affected and to the clerk of each
11 municipality in the county or counties whose residents will be
12 affected; such notice shall also be posted at least 15 days prior to
13 such hearing in prominent places on the railroad cars and buses
14 serving the routes to be affected.

15 e. Notice of its intent to discontinue, substantially curtail or
16 abandon any motorbus regular route service or rail passenger
17 service shall be given by the corporation to the governing body of
18 each county whose residents will be affected and to the clerk of
19 each municipality in the county or counties whose residents will be
20 affected at least 45 days prior to implementation of such change in
21 service.

22 (cf: P.L.1997, c.309, s.2)

23

24 2. (New section) Any holder of a certificate of public
25 convenience and necessity for the operation of an autobus who files
26 a petition with the Motor Vehicle Commission for permission to
27 discontinue, substantially curtail, or abandon service shall give 45
28 days' notice of its intent to file the petition to the board of chosen
29 freeholders of each county whose residents will be affected and to
30 the clerk of each municipality in which there is located a bus stop
31 on the route or routes that would be affected by the discontinuation,
32 substantial curtailment, or abandonment of service. In the event
33 that a petition is not filed by the certificate holder, the certificate
34 holder shall give 45 days' notice prior to the discontinuation,
35 substantial curtailment, or abandonment of service to the board of
36 chosen freeholders of each county whose residents will be affected
37 and to the clerk of each municipality in which there is located a bus
38 stop on the route or routes that would be affected by the
39 discontinuation, substantial curtailment, or abandonment of service.

40 A holder of a certificate of public convenience and necessity for
41 the operation of an autobus, who files a petition with the Motor
42 Vehicle Commission for permission to discontinue, substantially
43 curtail, or abandon service, shall cause to be posted in a prominent
44 place on each bus serving the affected routes, a notice of its intent
45 to discontinue, substantially curtail, or abandon service, at least 45
46 days prior to the change in service.

47 A holder of a certificate who fails to give notice in accordance
48 with this section shall be subject to a civil penalty of \$100 per day.

S1362 SACCO, CUNNINGHAM

4

1 Every day that a violation exists shall be a separate violation for
2 which a penalty may be recovered. A penalty imposed under this
3 section shall be in addition to any other penalty or fine imposed
4 pursuant to law and shall be collected and enforced by summary
5 proceedings pursuant to the "Penalty Enforcement Law of 1999,"
6 P.L.1999, c.274 (C.2A:58-10 et seq.).

7

8 3. This act shall take effect immediately.

9

10

11

STATEMENT

12

13 This bill requires that when a public or private operator of a
14 regularly scheduled bus or passenger rail service, including light
15 rail, intends to discontinue, substantially curtail, or abandon a route,
16 45 days' notice must be given by the operator to the board of
17 chosen freeholders of each county whose residents will be affected
18 and to the clerk of each municipality in the county or counties
19 whose residents will be affected. This bill will also require NJ
20 Transit to give those governing bodies 45 days' notice of its intent
21 to implement any fare increase for bus or passenger rail service.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1362

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 10, 2008

The Senate Transportation Committee reports favorably Senate Bill No. 1362 with committee amendments.

This amended bill requires that when a public or private operator of a regularly scheduled bus or passenger rail service, including light rail, intends to discontinue, substantially curtail, or abandon a route, 45 days' notice must be given by the operator to the board of chosen freeholders of each county whose residents will be affected and to the clerk of each municipality in the county or counties whose residents will be affected.

The committee amended a provision of the bill dealing with private carriers providing public transportation under contract with the New Jersey Transit Corporation to continue the Department of Transportation's jurisdiction over the service and fares of those carriers after the end of the contract, rather than moving that jurisdiction to the Motor Vehicle Commission. The amendments also made minor editorial changes to the bill.

STATEMENT TO
[First Reprint]
SENATE, No. 1362

with Assembly Floor Amendments
(Proposed By Assemblyman WISNIEWSKI)

ADOPTED: JUNE 16, 2008

These Assembly floor amendments concern a provision of the bill dealing with private carriers providing public transportation under contract with the New Jersey Transit Corporation. These amendments end the Department of Transportation's jurisdiction over the service and fares of those private carriers after the end of a contract and move such jurisdiction to the New Jersey Motor Vehicle Commission.

ASSEMBLY, No. 333

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblywoman JOAN M. QUIGLEY

District 32 (Bergen and Hudson)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Co-Sponsored by:

Assemblyman Vas

SYNOPSIS

Requires 45 days' notice to affected municipalities of discontinuance of certain bus and train service.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT requiring advance notice to municipalities affected by the
2 discontinuance of certain bus and rail passenger service,
3 amending P.L.1979, c.150, and supplementing Title 48 of the
4 Revised Statutes.

5

6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

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9 1. Section 8 of P.L.1979, c.150 (C.27:25-8) is amended to read
10 as follows:

11 8. a. The corporation or any subsidiary thereof shall not be
12 considered a public utility as defined in R.S.48:2-13 and except
13 with regard to subsection c. of this section, subsection b. of
14 R.S.48:3-38, section 2 of P.L.1989, c.291 (C.27:25-15.1) and
15 R.S.48:12-152 the provisions of Title 48 of the Revised Statutes
16 shall not apply to the corporation or any subsidiary thereof.

17 b. The authority hereby given the corporation pursuant to
18 section 6 of this act with respect to fares and service, shall be
19 exercised without regard or reference to the jurisdiction formally
20 vested in the Department of Transportation [by] regarding rates
21 and rate schedules under R.S.48:2-21 [, 48:2-24 and 48:4-3] ;
22 discontinuance, curtailment, or abandonment of service under
23 R.S.48:2-24; and the issuance of a certificate of public convenience
24 and necessity under R.S.48:4-3, and transferred to the New Jersey
25 Motor Vehicle Commission by P.L.2003, c.13 (C.39:2A-1 et al) .
26 The [Department of Transportation] New Jersey Motor Vehicle
27 Commission shall resume jurisdiction over service and fares upon
28 the termination and discontinuance of a contractual relationship
29 between the corporation and a private or public entity relating to the
30 provision of public transportation services operated under the
31 authority of certificates of public convenience and necessity
32 previously issued by the [department] New Jersey Motor Vehicle
33 Commission or its predecessors; provided, however, that no private
34 entity shall be required to restore any service discontinued or any
35 fare changed during the existence of a contractual relationship with
36 the corporation, unless the [Department of Transportation] New
37 Jersey Motor Vehicle Commission shall determine, after notice and
38 hearing, that the service or fare is required by public convenience
39 and necessity.

40 c. Notwithstanding any other provisions of this act, all vehicles
41 used by any public or private entity pursuant to contract authorized
42 by this act, and all vehicles operated by the corporation directly,
43 shall be subject to the jurisdiction of the [Department of

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 Transportation] New Jersey Motor Vehicle Commission with
2 respect to maintenance, specifications and safety to the same extent
3 such jurisdiction is conferred upon the [department] New Jersey
4 Motor Vehicle Commission by Title 48 of the Revised Statutes.

5 d. Before implementing any fare increase for any motorbus
6 regular route or rail passenger services, or the substantial
7 curtailment or abandonment of any such services, the corporation
8 shall hold a public hearing in the area affected during evening
9 hours. Notice of such hearing shall be given by the corporation at
10 least 15 days prior to such hearing to the governing body of each
11 county whose residents will be affected and to the clerk of each
12 municipality in the county or counties whose residents will be
13 affected; such notice shall also be posted at least 15 days prior to
14 such hearing in prominent places on the railroad cars and buses
15 serving the routes to be affected.

16 e. Notice of its intent to discontinue, substantially curtail or
17 abandon any motorbus regular route service or rail passenger
18 service shall be given by the corporation to the governing body of
19 each county whose residents will be affected and to the clerk of
20 each municipality in the county or counties whose residents will be
21 affected at least 45 days prior to implementation of such change in
22 service.

23 (cf: P.L.1997, c.309, s.2)

24

25 2. (New section) Any holder of a certificate of public
26 convenience and necessity for the operation of an autobus who files
27 a petition with the Motor Vehicle Commission for permission to
28 discontinue, substantially curtail, or abandon service shall give 45
29 days' notice of its intent to file the petition to the board of chosen
30 freeholders of each county whose residents will be affected and to
31 the clerk of each municipality in which there is located a bus stop
32 on the route or routes that would be affected by the discontinuation,
33 substantial curtailment, or abandonment of service. In the event
34 that a petition is not filed by the certificate holder, the certificate
35 holder shall give 45 days' notice prior to the discontinuation,
36 substantial curtailment, or abandonment of service to the board of
37 chosen freeholders of each county whose residents will be affected
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39 stop on the route or routes that would be affected by the
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42 the operation of an autobus, who files a petition with the Motor
43 Vehicle Commission for permission to discontinue, substantially
44 curtail, or abandon service, shall cause to be posted in a prominent
45 place on each bus serving the affected routes, a notice of its intent
46 to discontinue, substantially curtail, or abandon service, at least 45
47 days prior to the change in service.

A333 QUIGLEY, PRIETO

1 A holder of a certificate who fails to give notice in accordance
2 with this section shall be subject to a civil penalty of \$100 per day.
3 Every day that a violation exists shall be a separate violation for
4 which a penalty may be recovered. A penalty imposed under this
5 section shall be in addition to any other penalty or fine imposed
6 pursuant to law and shall be collected and enforced by summary
7 proceedings pursuant to the "Penalty Enforcement Law of 1999,"
8 P.L.1999, c.274 (C.2A:58-10 et seq.).
9

10 3. This act shall take effect immediately.
11
12

13 STATEMENT
14

15 This bill requires that when a public or private operator of a
16 regularly scheduled bus or passenger rail service, including light
17 rail, intends to discontinue, substantially curtail, or abandon a route,
18 45 days' notice must be given by the operator to the board of
19 chosen freeholders of each county whose residents will be affected
20 and to the clerk of each municipality in the county or counties
21 whose residents will be affected. This bill will also require NJ
22 Transit to give those governing bodies 45 days' notice of its intent
23 to implement any fare increase for bus or passenger rail service.

[Corrected Copy]

ASSEMBLY, No. 333

STATE OF NEW JERSEY
213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblywoman JOAN M. QUIGLEY

District 32 (Bergen and Hudson)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Co-Sponsored by:

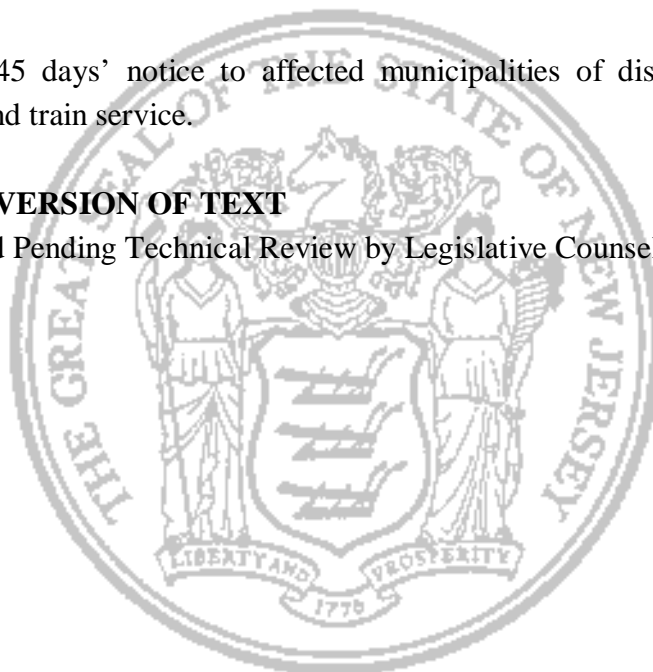
Assemblyman Vas

SYNOPSIS

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CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



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21 affected at least 45 days prior to implementation of such change in
22 service.

23 (cf: P.L.1997, c.309, s.2)

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30 freeholders of each county whose residents will be affected and to
31 the clerk of each municipality in which there is located a bus stop
32 on the route or routes that would be affected by the discontinuation,
33 substantial curtailment, or abandonment of service. In the event
34 that a petition is not filed by the certificate holder, the certificate
35 holder shall give 45 days' notice prior to the discontinuation,
36 substantial curtailment, or abandonment of service to the board of
37 chosen freeholders of each county whose residents will be affected
38 and to the clerk of each municipality in which there is located a bus
39 stop on the route or routes that would be affected by the
40 discontinuation, substantial curtailment, or abandonment of service.

41 A holder of a certificate of public convenience and necessity for
42 the operation of an autobus, who files a petition with the Motor
43 Vehicle Commission for permission to discontinue, substantially
44 curtail, or abandon service, shall cause to be posted in a prominent
45 place on each bus serving the affected routes, a notice of its intent
46 to discontinue, substantially curtail, or abandon service, at least 45
47 days prior to the change in service.

A333 QUIGLEY, PRIETO

1 A holder of a certificate who fails to give notice in accordance
2 with this section shall be subject to a civil penalty of \$100 per day.
3 Every day that a violation exists shall be a separate violation for
4 which a penalty may be recovered. A penalty imposed under this
5 section shall be in addition to any other penalty or fine imposed
6 pursuant to law and shall be collected and enforced by summary
7 proceedings pursuant to the "Penalty Enforcement Law of 1999,"
8 P.L.1999, c.274 (C.2A:58-10 et seq.).
9

10 3. This act shall take effect immediately.
11
12

13 STATEMENT
14

15 This bill requires that when a public or private operator of a
16 regularly scheduled bus or passenger rail service, including light
17 rail, intends to discontinue, substantially curtail, or abandon a route,
18 45 days' notice must be given by the operator to the board of
19 chosen freeholders of each county whose residents will be affected
20 and to the clerk of each municipality in the county or counties
21 whose residents will be affected.

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 333

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 12, 2008

The Assembly Transportation, Public Works and Independent Authorities Committee reports favorably and with amendments Assembly Bill No. 333.

As reported, this amended bill requires that when a public or private operator of a regularly scheduled bus or passenger rail service, including light rail, intends to discontinue, substantially curtail, or abandon a route, 45 days' notice must be given by the operator to the board of chosen freeholders of each county whose residents will be affected and to the clerk of each municipality in the county or counties whose residents will be affected.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS

The committee amended a provision of the bill dealing with private carriers providing public transportation under contract with the New Jersey Transit Corporation to continue the Department of Transportation's jurisdiction over the service and fares of those carriers after the end of the contract, rather than moving that jurisdiction to the Motor Vehicle Commission. The committee amended the bill's title to more accurately reflect the conditions under which notice must be given to municipalities.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 333

with Assembly Floor Amendments
(Proposed By Assemblyman WISNIEWSKI)

ADOPTED: JUNE 16, 2008

These Assembly floor amendments concern a provision of the bill dealing with private carriers providing public transportation under contract with the New Jersey Transit Corporation. These amendments end the Department of Transportation's jurisdiction over the service and fares of those private carriers after the end of a contract and move such jurisdiction to the New Jersey Motor Vehicle Commission.